

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF NEW YORK**

FINANCIAL Plaintiff,  
 GUARANTY INS. CO.,

- against -

INDYMAC BANK, Defendant.  
 F.S.B.,

8 cv 6010 (LP)

**MOTION TO ADMIT COUNSEL**

**PRO HAC VICE**

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the  
 Southern and Eastern Districts of New York, I, Joshua B. Selig a member in good standing of  
 the bar of this Court, hereby move for an Order allowing the admission pro hac vice of

Applicant's Name: Daniel J. Dunne

Firm Name: Heller Ehrman LLP

Address: 701 Fifth Avenue, Suite 6100

City/State/Zip: Seattle, WA 98104

Phone Number: (206) 447-0900

Fax Number: (206) 447-0849

Daniel J. Dunne is a member in good standing of the Bar of the States of  
 Washington

There are no pending disciplinary proceeding against Daniel J. Dunne  
 in any State or Federal court.

Dated:

City, State: Seattle, Washington

Respectfully submitted,

Sponsor's Joshua B. Selig  
 SDNY Bar JS-1271

Firm Name: Heller Ehrman LLP

Address: 701 Fifth Avenue, Suite 6100

City/State/Zip: Seattle, WA 98104

Phone Number: (206) 447-0900

Fax Number: (206) 447-0849

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FINANCIAL GUARANTY INSURANCE  
COMPANY,

Plaintiff,

v.

INDYMAC BANK, F.S.B.,

Defendant.

No. 08 CV 6010 (LAP)(MHD)

AFFIDAVIT OF JOSHUA B.  
SELIG IN SUPPORT OF  
MOTION TO ADMIT COUNSEL  
*PRO HAC VICE*

State of Washington )  
                         )      ss:  
County of King      )

Joshua B. Selig, being duly sworn, hereby deposes and says as follows:

1. I am an attorney with the law firm of Heller Ehrman LLP, counsel for Defendant in the above-captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Defendant's motion to admit Daniel J. Dunne as counsel *pro hac vice* to represent Defendant in this matter.

2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law on April 19, 2006. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. I have known Daniel J. Dunne since July 2007.

4. Mr. Dunne is an attorney with the law firm of Heller Ehrman LLP, in Seattle, Washington. Mr. Dunne is admitted to the bar of the State of Washington. A certificate of Mr. Dunne's good standing, issued within the last 30 days, is attached hereto as Exhibit A.

5. Mr. Dunne is a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.

6. Accordingly, I am pleased to move for the admission of Daniel J. Dunne, *pro hac vice*.

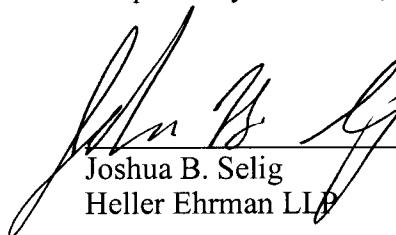
7. I respectfully submit a proposed order granting the admission of Daniel J. Dunne, *pro hac vice*, which is attached hereto as Exhibit B.

WHEREFORE, it is respectfully requested that the motion to admit Daniel J. Dunne, *pro hac vice*, to represent Defendant in the above captioned matter, be granted.

Dated: 7/30/08

City, State: Seattle, Washington

Respectfully submitted,



\_\_\_\_\_  
Joshua B. Selig  
Heller Ehrman LLP

SDNY Bar Code: JS-1271

STATE OF WASHINGTON )  
COUNTY OF KING ) ss.  
)

On this day personally appeared before me Joshua B. Selig, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 30<sup>th</sup> day of July, 2008.



Charlene L. Bruns

Print name: Charlene L. Bruns  
NOTARY PUBLIC in and for the State of Washington, residing at Bremerton  
My appointment expires 11-14-09

SV 2351185 v1  
7/24/08 11:06 AM (38773.0701)

## **EXHIBIT A**

**IN THE SUPREME COURT OF THE STATE OF WASHINGTON**

IN THE MATTER OF THE ADMISSION )  
OF ) BAR NO. 16999  
DANIEL J. DUNNE JR. ) **CERTIFICATE OF GOOD**  
TO PRACTICE IN THE COURTS OF THIS STATE ) **STANDING**  
)

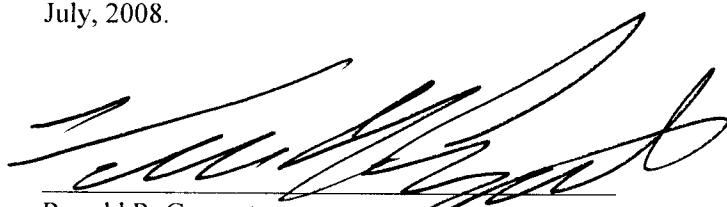
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I, Ronald R. Carpenter, Clerk of the Supreme Court of the State of Washington, hereby certify

DANIEL J. DUNNE JR.

was regularly admitted to practice as an Attorney and Counselor at Law in the Supreme Court and all the Courts of the State of Washington on June 10, 1987, and is now and has continuously since that date been an attorney in good standing, and has a current status of active.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court this 28<sup>th</sup> day of July, 2008.

A handwritten signature in black ink, appearing to read "Ronald R. Carpenter".

Ronald R. Carpenter  
Supreme Court Clerk  
Washington State Supreme Court

## **EXHIBIT B**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FINANCIAL GUARANTY INS. Plaintiff,  
CO.,

8 cv 6010 (LP )

- against -

INDYMAC BANK, F.S.B., Defendant.

**ORDER FOR ADMISSION  
PRO HAC VICE  
ON WRITTEN MOTION**

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Upon the motion of Joshua B. Selig attorney for INDYMAC BANK, F.S.B.  
and said sponsor attorney's affidavit in support;

**IT IS HEREBY ORDERED** that

Applicant's Name: Daniel J. Dunne

Firm Name: Heller Ehrman LLP

Address: 701 Fifth Avenue, Suite 6100

City/State/Zip: Seattle, WA 98104

Telephone/Fax: (206) 447-0900

Email Address: daniel.dunne@hellerehrman.com

is admitted to practice pro hac vice as counsel for INDYMAC BANK, F.S.B. in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated:  
City, State:

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United States District/Magistrate Judge

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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FINANCIAL GUARANTY INSURANCE  
COMPANY,

Plaintiff, Civil Action No. 08-6010 (LP)

v.

**AFFIDAVIT OF SERVICE**

INDYMAC BANK, F.S.B.,

Defendant.

-----x

STATE OF NEW YORK )  
                          )  
                          ) ss.:  
COUNTY OF NEW YORK )

Richard Rodriguez, being duly sworn, deposes and says:

1. I am employed by the law firm of Heller Ehrman LLP, and over the age of eighteen years of age and not a party to this action.
2. On August 5, 2008, I served a copy of MOTION TO ADMIT DANIEL J. DUNNE PRO HAC VICE upon the following parties by first class mail, postage fully prepaid, by depositing same in an official depository of the United States Mail:

Attn: Robert A. Jaffe, Esq.  
Kutak Rock LLP  
1101 Connecticut Ave., N.W.  
Washington, D.C. 20036

Attn: Joseph A. Ingrisano, Esq.  
Kutak Rock LLP  
1101 Connecticut Ave., N.W.  
Washington, D.C. 20036

Attn: Antoinette P. Hewitt, Esq.  
Kutak Rock LLP  
18201 Von Karman Ave.  
Suite 1100  
Irvine, CA 92612

  
Richard Rodriguez

Sworn to before me this  
5<sup>th</sup> day of August, 2008

Darryl A. McFADDEN  
Notary Public

DARRYL A. McFADDEN  
Notary Public, State of New York  
No. 01MC6022113  
Qualified in New York County  
Commission Expires Mar. 29, 2011